

**TOWN OF TROUTMAN  
400 NORTH EASTWAY DRIVE  
TROUTMAN, NORTH CAROLINA**

**TOWN COUNCIL AGENDA BRIEFING MEETING MINUTES**

**May 05, 2018 – 4:00 P.M. – Troutman Town Hall**

Council Members Present: Mayor Teross W. Young, Jr.; W. Paul Henkel; Judy Jablonski, Sally P. Williams; James K. Troutman; Paul R. Bryant

Council Members Absent: None

Staff Present: Justin E. Longino, Town Manager; Steven H. Shealy, Finance Director; Kimberly H. Davis, Town Clerk; Matthew A. Selves, Police Chief; Erika G. Martin, Planning Director; Adam K. Lippard, Public Works Manager; Emily M. Watson, Parks and Recreation Coordinator; Gary W. Thomas, Town Attorney

Press Present: Debbie Page, SVL Free News  
Chloe Moores, Statesville Record and Landmark

Others: (Sign-In sheet is attached to these minutes)

**I. MAYOR TEROSS W. YOUNG CALLED THE MEETING TO ORDER**

**II. ADJUSTMENT(S) TO AND APPROVAL OF THE AGENDA BRIEFING AGENDA**

Addition: #4 under III, B Comments from public regarding appointments/nominations for Alternate ETJ membership on the Planning and Zoning Board (addition requested by Council member Henkel)

\*Upon motion by Council member Bryant, seconded by Council member Jablonski, and unanimously carried, Agenda Briefing Agenda was approved as amended.

**III. MISCELLANEOUS BUSINESS**

**A. Business from Council and Mayor**

- Council member Williams
  - Event volunteers are needed for upcoming Front Porch Fest. Emily Watson stated that registered to date there are 70 vendors/tables, 4 food trucks, and other amenities; more than the event has had in the past.
  - Asked the status of Country Boy regarding the South Iredell High School Greenway Project. Town Manager Longino responded that he has emailed Chris Cartner with Country Boy for a timeline; just waiting to hear back; staff will stay on top of them. Council member Bryant asked if payments are being held. Town Manager Longino stated that any days past their completion date he expects there will be some liquidated damages.

- Council member Bryant
  - Mentioned the write-up in the monthly report by Public Works Manager Adam Lippard regarding the road issue on Eastway Drive. Mr. Lippard acknowledged that he is not sure what is causing the issue. He has exhausted all options, but is willing to dig up and put down additional mat. He feels that the next step is to contact a professional.
- Mayor Young
  - Commented that the Blessing Box (located at Town Hall), and the Little Library (located on Children's Hope Alliance property) have been erected.
- Council member Henkel
  - Expressed the need for street sweeping to occur more frequently (once a month verses every other month) during the summer and fall months. He requested that street sweeping be added for discussion at Council's Budget Workshop to go from the budgeted 6 months to 9 months.
  - Asked if the Code Enforcement Officer is addressing tall grass issues. Town Manager Longino responded yes he is addressing as reported on a complaint driven basis. Council member Henkel asked if he drives around town looking for non-compliance issues. Staff's response is no, Mr. Leggett is only in the office 2 days a week and responds to what is entered into the Mobile 311 system. Council member Henkel stated that he would rather Mr. Leggett be more proactive rather than reactive by taking initiative and riding around the Town. Increasing Mr. Leggett's work hours during warm weather months was suggested. Council Jablonski requested that Council receive information on the number of hours Mr. Leggett has worked this fiscal year to compare with the funds the Town has allotted for a Code Enforcement Officer. Council member Bryant requested a report with the number of complaints reported and the issues acted upon.
- Council member Jablonski
  - Requested that additional leaf pick-up be added into the upcoming budget.

## **B. Business from Staff**

### **1. Consider Waiving Fees for Easement: Moore Minor Subdivision, (Dr. Quentin Johnson, Project Representative)**

Planning Director Martin stated that several months back Council was presented with a request regarding an easement for a driveway of a minor subdivision between Perth Road and Quail Hollow Drive creating two lots with frontage on the tapered street of Quail Hollow Drive. At which time Council requested that Ms. Martin send a letter to the property owner offering the following two options: 1) request to be annexed into the Town limits and use the easement for free; and 2) if not annexed in, pay for the easement. In an email response to the Town's offer, Dr. Quentin Johnson project representative/property owner, responded choosing option 2 (to not to be annexed) with a request that the fee of \$15,000 per lot proposed be waived. Dr. Johnson addressed the Council explaining his present situation and the reason behind the request to waive the fees. Council member Bryant commented to that he would love to see Dr. Johnson and his family become citizens of Troutman by voluntary annexation. He understands his situation, but Council is not allowed to take into account personal circumstances. Council's obligation is to the citizens of the Town who pay for the resources that he is asking to enjoy. Council member Henkel agreed asking Dr. Johnson to look at the Town's position as well and come together in the middle and not just one side. Dr. Johnson's brother-in-law Aldine Cloud respectively requested that Council negotiate charging half the fee.

Discussion was held regarding the proposed 300 to 400 foot asphalt driveway with Council member Bryant requesting the driveway match the concrete that is already there so it looks consistent. He also commented on the potential wear and tear of Quail Haven Drive, a town street, due to construction traffic.

Council member Bryant suggested that Council withdraw Option 2, and again asked Dr. Johnson consider Option 1 consisting of voluntary annexation. Dr. Johnson responded that he appreciates Council member

Bryant thoughts and asked that Council consider negotiations on the cost. Council member Jablonski commented that she also agrees with Option 1 (voluntary annexation).

\*Council member Bryant, made a motion, seconded by Council member Jablonski to withdraw Option 2 from the table, and extend voluntary annexation in exchange for things that Dr. Johnson and family are requesting or the property continue to be utilized as it has in the past within the county.

Mayor Young stated that regardless what the decision (whether option 1 or 2) when Council extends an offer, he does not feel anything should change; therefore, in presenting two offers withdrawing Option 2 is not in good faith.

Council member Henkel agreed with Mayor Young requesting that the offer stand as originally presented.

Council member Bryant stated that since Dr. Johnson family rejected both options 1 & 2 and Council has every right to withdrawal either or both options, so his motion to withdraw Option 2 stands.

\*Vote was taken on the motion resulting in a 2-2 tie vote. Mayor Young voted to break the tie resulting in a vote of 3-2 against. Motion failed.

Yeas: Bryant, Jablonski

Nays: Henkel, Williams, Young

Motion was then held on the original request on waiving the fee in Option 2.

\*Council member Bryant made a motion, to deny request to waive the fees as presented in Option 2. Council member Jablonski seconded the motion. Council member Bryant amended the motion by stating if Option 2 is chosen, the driveway be consistent (concrete) with the rest of the Quail Hollow neighborhood. Planning Director Erika Martin stated that the amendment changes the two offers. Town Attorney Gary Thomas commented that it seems the driveway is a planning issue that needs to go through other channels, and if Council is not waiving the fees and the two options are still available, it is a meaningless offer. Council member Bryant withdrew the amendment; Council member Jablonski seconded the withdrawal.

\*Council then voted on the motion to deny request to waive the fees as presented in Option 2; the motion unanimously carried.

(Copied in full, staff's proposal letter, plat, and email response to the proposal is filed on CD titled: "Town Council Supporting Documents" dated May 7<sup>th</sup>, and May 10<sup>th</sup>, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

## **2. Consider Street Improvement Project**

In presenting the top 8 streets in need of repair, Town Manager Justin Longino requested a formal approval from Council to move forward with the bidding process. Estimated cost for the 8 streets presented is \$93,000 over the approved funding of \$850,000. Council discussed ways to cut the cost of the project such as paving only the loop section of Georgie Street and delaying the repairs to the straight section of Georgie Street and possibly Massey Street due to the future Brookside housing development and construction traffic, and repairing only the lower section of Julian Place (from the signal light to Stop-N-Save). Council member Jablonski suggested a potential savings in mobilization fee of \$8000 per street estimate stating that if the same contractor has all or several projects, the fee possible could be waived since the equipment is already in Town.

\*Upon motion by Council member Henkel, seconded by Council member Bryant, and unanimously carried, approved scope of project as presented minus half the project on Georgie, with a review of Massey Street and Julian Place as well as the cost of mobilization.

(Copied in full, construction estimates, West Consultants response to Council's previous questions, and town street map is filed on CD titled: "Town Council Supporting Documents" dated May 7<sup>th</sup>, and May 10<sup>th</sup>, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

### **3. Discuss Pavilion Plaque Proposal**

Town Manager Justin Longino reviewed the mockup of a memorial plaque naming of the Troutman ESC Park Pavilion the "John Jacob Larew, Jr. Pavilion" in honor of his contributions and dedication to the Town. The plaque is designed in coordination with an existing plaque above the water fountain. Town Manager Longino asked if Council was in approval with the design. Council member Henkel suggested that the plaque be presented to the Parks and Recreation Committee for a recommendation to be presented to Council.

(Copied in full, International Bronze-plaque design with pricing is filed on CD titled: "Town Council Supporting Documents" dated May 7<sup>th</sup>, and May 10<sup>th</sup>, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

### **4. Comments From Public Regarding Appointments/Nominations for Alternate ETJ Membership on the Planning and Zoning Board (addition to the Agenda, request of Council member Henkel)**

Council member Henkel stated that residents within the ETJ on the east side of town has requested to speak regarding concerns of Planning and Zoning Board's nomination for the alternate ETJ position. He stated that he feels that all parties should have the opportunity to address the concern so Council has all the information needed in making a nomination.

Planning and Zoning Board's applicant/nominee Grace Beasley addressed Council presenting a brief background of her volunteer and public service experience. She stated that since the late 80's she has always been involved and participated in a community, and with growth you have to have appropriate growth while being un-bias and considering everything. Ms. Beasley stated that Town Manager Justin Longino is her oldest grandson; she does not talk business with him and there is no particular agenda, she just wants to be part of Troutman. She explained that this is her second application to the Planning Board because she feels that she has something to contribute to the Town through her knowledge of government, life experiences and ability to make rational decisions. Council member Bryant thanked Ms. Beasley for sharing with Council. He commented that Council is embarking on a very aggressive timeline to refine/update the Town's existing Land Use Plan between now and the end of the year where the Planning Board may have to commit extra time asking if she would be available from a time and investment standpoint. Ms. Beasley responded in the affirmative. Council member Bryant asked Ms. Beasley; in having a past in real estate, is she is still a real estate actively trading. Ms. Beasley replied that she is not.

Alison Stroud, Hoover Road ETJ resident, addressed Council stating that Ms. Beasley's resume presents a lot of experience, but her concern is not with her experience in any way. She expressed three major concerns, one of which is very little to no representation on the Planning Board for ETJ residents on the east side of Town and is opposed to the Planning Boards nomination of Ms. Beasley due to the area of which she lives stating that Ms. Beasley currently serves on the Board of Adjustment and therefore already has a voice. Second, Ms. Stroud stated that at the Planning and Zoning Board meeting in presenting her resume, Ms. Beasley nor Town Manager Longino disclosed that she is the grandmother of Town Manager Longino. In commenting that there are two other qualified candidates, Ms. Stroud requested that Barry General, who lives on the east side of Town be nominated by Council requesting that Ms. Beasley be disqualified, stating that due to her previous government experience Ms. Beasley knew she had a duty to disclose this very relevant relationship. She also stated that Town Manager Longino also knew to disclose the relationship and in not doing so is a concern that there are ethical issues involved. In reading aloud the North Carolina City and County Management Association "Code of Ethics", an organization of which Town Manager Longino is an active member, Ms. Stroud highlighted areas of which she felt Town Manager Longino is in

violation. Ms. Stroud again requested that Ms. Beasley be removed from consideration and Mr. General be recommended to fill the position of ETJ Alternate member.

Discussion was held regarding voting procedure of secret ballot by the Planning and Zoning Board with Ms. Stroud's recommendation being that in the future the number of votes per applicant be publically announced. It was discussed to possibly hold off making a nomination and sending it back to the Planning Board. Ms. Beasley stated that the Planning Board was aware of the relationship. Town Attorney Gary Thomas interjected stating that legally there is no conflict of interest; statutes on conflict of interest are financial and for a relative to serve on a Board is not. He stated that Council is on a slippery slope; referencing Council family members that are currently or have served in the past on town boards. Council member Bryant commented that he has known for over a year that Ms. Beasley is Town Manager Longino's grandmother and that most everyone in the room that attends Councils normal meetings know that as well, but the people on the east side that are not represented to the point they would like to be have not been attending meetings and did not know it. Ms. Stroud commented that she participated in a lot of things and has volunteered and she does not think that people in key leadership know of that relationship and why would it be an assumed thing. If it was above board why would it not be a statement of fact. Ms. Stroud addressed Council member Bryant voicing displeasure with his previous comment regarding meetings not being attended stating that she has attended every meeting for seven months and not once heard it stated that Ms. Beasley is related to Mr. Longino in a public forum.

In addressing Council, Mayor Young asked that Council take in to account how to handle the item on Thursday since it is on Thursday night's agenda.

(Copied in full, exert from the ICMA Code of Ethics (presented by Alison Stroud) is filed on CD titled: "Town Council Supporting Documents" dated May 7<sup>th</sup>, and May 10<sup>th</sup>, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

#### **IV. REVIEW AGENDA ITEMS PROPOSED FOR REGULAR MEETING OF MAY 10, 2018,** *(Justin Longino, Interim Town Manager)*

***\*\*See Draft Agenda \*\****

Staff was present to address any questions or concerns pertaining to the agenda.

*Change to the proposed agenda:* Town Manger Longino stated that Mayor Pro Tem Henkel will be presiding over the May 10, 2018 meeting due to Mayor Young having a work commitment and will be unable to attend.

#### **Consent Agenda:**

##### **Item 9. Approval of Façade for Saddle Creek**

Planning Director Erika Martin explained that because of the bay doors and potential debris getting into the factory, Saddle Creek is asking for an alternative landscaping plan that would not require canopy trees along internal parking spaces. She stated the request has been approved by the Design Review Board (DRB).

##### **Item 10. Approval of Façade for Troutman Industrial Park**

Council member Williams stated that she did not see a mock-up of the façade for the Troutman Industrial Park. Planning Director Erika Martin replied that there is not one. Applicant are asking for the facade to be just metal explaining that their request is for a canopy of trees to line the front blocking the building. She stated they could design the front depending on the tenants' need. The request was approved by the Design Review Board (DRB).

Discussion was held regarding the height of trees. Ms. Martin replied that the trees will go in at a height of 6 to 8 feet, and it was determined that the average height at maturity would be approximately 30 feet.

**Item 11. Annexation Request (AX-18-02) (Contiguous), Applicant(s): Touché, LLC, Project: Autumn Pointe; 22.10 +/- acres, located on South Eastway Drive, SR 2371, PIN 4741431448**

- a. **Adoption of Resolution 05-18 Titled: “Resolution Directing The Clerk To Investigate A Petition Received Under Article 4A Of G.S. 160A-31”**
- b. **Approval of Certificate of Sufficiency**
- c. **Adoption of Resolution 06-18 Titled: “Resolution Fixing Date Of Public Hearing On Question Of (Contiguous) Annexation Pursuant To Article 4A Of G.S. 160A”**

Town Manager Longino explained that the above three items is required as part of the annexation process in setting the Public Hearing date for next month to adopt the annexation ordinance.

#### **New Business:**

**Item 17. Local Comprehensive Transportation Plan (LCTP) Amendment**

- a. **Hold Public Hearing**
- b. **Consider Removal of Perry Road Extension**

Planning Director Erika Martin explained that the requested amendment is to remove the Perry Road Extension (proposed road from Perry Road to Murdock Road) from the Local Comprehensive Transportation Plan (LCTP) and the Charlotte Regional Transportation Planning Organization (CRTPO) Plan and in doing so alternative options have to be explored and the process for removal has to be documented. She stated from a staff perspective she is recommending to remove the proposed extension and the proposed alternative from the plans. In removing the alignment, it will no longer be available public state funded projects. There are connectivity requirements through the Town ordinance so if a private development were to occur the Town can require a north/south connection.

**Item 18. Rezoning Request (RZ-18-03) from Suburban Residential (RS) to Town Residential (RT); Applicant(s): Touché, LLC, 22.10 +/- acres, Project Name: Autumn Pointe located off South Eastway Drive, SR 2371; PIN 4741431448**

- a. **Hold Public Hearing**
- b. **Consider Adoption of Ordinance 11-18 Titled: “An Ordinance Changing The Zoning Classification Of The After Described Property From Suburban Residential (RS) and Town Residential (RT)”**
- c. **Consider Consistency Statement**

Planning Director Erika Martin stated that the proposed rezoning request will allow single family-quarter lots by-right and with a Special Use Permit the developer could construct duplexes or townhomes. She stated that the developer has expressed interest in building townhomes.

**Item 19. Consider Approval of Contract for a Town of Troutman Strategic Master Plan**

Town Manager Justin Longino stated that the steering committee reviewed proposals and selected Stantec Consulting. Council will be considering approval of the agreement that has been reviewed by staff; Layton Getsinger, and Town Attorney Gary Thomas.

Council member Bryant asked the status of the revisions to the Town’s Unified Development Ordinance (UDO). Planning Director Martin stated that she received it last Friday; she has a few questions to resolve and the document will be taken to the Planning Board and put online for public review and input. Ms. Martin to establish a Steering Committee meeting schedule. In regards to the Strategic Master Plan, Town Manager Longino commented that staff is proposing a joint meeting of the Town Council and Planning Board toward the end of September or early October in order to finalize the document.



Mayor Young asked if Centralina Council of Governments (CCOG) was one of the responses to the Request for Proposal (RFP). Town Manager Longino responded that CCOG did not respond. He had talked with Ron Smith, Executive Director who stated the scope of the project was too large. Mr. Smith did comment that if the Town had received no submissions, the CCOG would have been willing to try and work with us on the project.

**V. CALL FOR CLOSED SESSION PURSUANT TO NCGS 143-318.11(a)(5) TO DISCUSS ACQUISITION OF REAL PROPERTY AND NCGS 143-318.11(a)(4) TO DISCUSS ECONOMIC DEVELOPMENT**

Mayor Young called for a closed session pursuant to NC General Statute 143-318.11(a)(5) to discuss acquisition of real property and pursuant to NC General Statute 143-318.11(a)(4) to discuss economic development.

\*Upon motion by Council member Henkel, seconded by Council member Jablonski, and unanimously carried, approved to hold a closed session pursuant to NCGS 143-318.11(a)(5) to discuss acquisition of real property and NCGS 143-318.11(a)(4) to discuss economic development.

*Mayor Young opened the closed session.*

Along with Town Council, Mayor Young asked that Town Manager, Justin Longino; Town Clerk, Kimberly Davis, Erika G. Martin, Planning Director; Steven H. Shealy, Finance Director; Emily Watson, Parks and Recreation Coordinator to join the Closed Session.

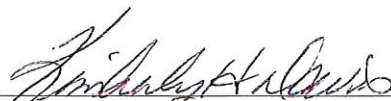
*\*\*MINUTES OF CLOSED SESSION HAVE BEEN SEALED UNTIL SUCH TIME PUBLIC INSPECTION WILL NO LONGER FRUSTRATE THE PURPOSE OF THE CLOSED SESSION\*\**

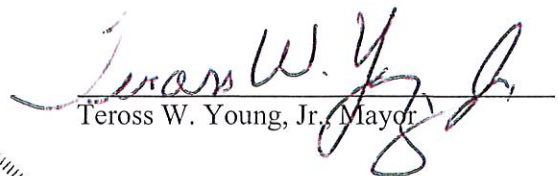
***Closing of Closed Session and Reconvene Open Session***

\*Upon motion by Council member Williams, seconded by Council member Jablonski, and unanimously carried, approved to reconvene open session.

**VI. ADJOURNMENT**

\*Upon motion by Council member Williams, seconded by Council member Henkel, and unanimously carried, Agenda Briefing Meeting of May 07, 2018 was adjourned at 6:56 p.m.

  
Kimberly H. Davis, Town Clerk

  
Teross W. Young, Jr., Mayor



(\*) Motion